

UNITED STATES DISTRICT COURT
for the
Southern District of New York

NAQUAN GLADDEN

Plaintiff

V.

THE CITY OF NEW YORK, NEW YORK
POLICE DEPARTMENT, THE AMERICAN
BAR ASSOCIATION, DISTRICT ATTORNEYS
OFFICE OF NEW YORK COUNTY, JUDGE
FARBER JUDGE, JOHN DOE

ASSISTANT DISTRICT
ATTORNEY MEGAN McDERMOTT DISTRICT
ATTORNEY HON. CYRUS VANCE LEGAL
AID ATTORNEY ANTON ROBINSON
OFFICERS JANE AND JOHN DOE

Defendant.

(Defendant's name and address)
To: Corporation Counsel of the city
of New York,
Attorney for Defendants
100 Church Street, 4th Floor,
New York, N.Y. 10007

Comptroller of the City of New York
C/O Corporation Counsel of the City
of New York
100 Church Street, 4th Floor
New York, N.Y. 10007

New York City Police Department
One Police Plaza
New York, N.Y. 10038-1497
and

c/o Corporation Counsel of the
City of New York
100 Church Street, 4th Floor
New York, NY 10007

HON. CYRUS VANCE Jr.
DISTRICT ATTORNEYS OFFICE OF NEW
YORK COUNTY
1 Hogan Place
New York, New York

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
NAQUAN GLADDEN,

Plaintiff,

-against-

VERIFIED COMPLAINT

Plaintiff Proceeding
Pro Se

THE CITY OF NEW YORK, NEW YORK POLICE
DEPARTMENT, THE AMERICAN BAR ASSOCIATION,
DISTRICT ATTORNEYS OFFICE NEW YORK
COUNTY, JUDGE FARBER, JUDGE JOHN DOE,
ASSISTANT
DISTRICT ATTORNEY MEGAN McDERMOTT
DISTRICT ATTORNEY HON. CYRUS VANCE,
LEGAL AID ATTORNEY ANTON ROBINSON,
OFFICER JOHN DOE, AND JANE DOE.

Defendant.
-----X

INTRODUCTORY STATEMENT

1. This action is for damages sustained by plaintiff NAQUAN GLADDEN, (hereinafter referred to as GLADDEN OR plaintiff) and against the CITY OF NEW YORK, (hereinafter referred to as CITY and/or defendant), NEW YORK CITY POLICE DEPARTMENT, (hereinafter referred to as NYPD and/or defendant), THE AMERICAN BAR ASSOCIATION, (hereinafter referred to as the BAR and/or defendant), and the office of the DISTRICT ATTORNEY OF THE COUNTY OF NEW YORK, (hereinafter referred to as DISTRICT ATTORNEY NEW YORK COUNTY, DA NEW YORK COUNTY, DA'S OFFICE NEW YORK COUNTY and/or defendant), who through its agents, employees and/or assigns unlawfully conspired, arrested, harassed and improperly prosecuted and/or continued to prosecute, and intimidate the plaintiff GLADDEN, via a criminal case amounting to malicious prosecution, in their failure and/or refusal to investigate the denial of the plaintiff's "STATUTORY RIGHTS" namely his right to a "PRE-

"PRELIMINARY HEARING" and the **"GRAND JURY"** proceedings against his expressed desire to so appear and the failure to remedy the violation after the same was brought to their attention by way of **"MOTION NOTICE TO DISMISS"**, as well as the defendant **LEGAL AID ATTORNEY ROBINSON** unlawful waiver of the plaintiffs **"STATUTORY RIGHTS"** to the **"PRELIMINARY HEARING"** and **"GRAND JURY"** including but not limited to the **CITY** by the **AMERICAN BAR ASSOCIATION** and/or **HON. CYRUS VANCE** and/or office of the **DISTRICT ATTORNEY OF NEW YORK COUNTY**, who did nothing meaningful to investigate the denial of the plaintiffs allegations of conspiring to arrest him nor of his proffered showing of the denial of his **"STATUTORY RIGHTS"** nor of the **NYPD OFFICERS** who did so conspire to deprive plaintiff of his **"CIVIL and/or CONSTITUTIONAL RIGHTS"** to due process and equal protection of law, as well as defendant(s) **JUDGE FARBER — JUDGE JOHN DOE ADA MEGAN MCDERMOTT DA HON. CYRUS VANCE AND ATTORNEY ROBINSON,**

in their clear conspiracy to deny and/or deprive a citizen of his fundamental **"STATUTORY"** and thereby **"CONSTITUTIONAL RIGHT(S)"** and for all defendant(s) failure to take corrective actions after said clear violations were brought to their attention, whose vicious propensities to so deny African American citizens and other minority groups the mandated **"PRELIMINARY HEARING"**, and/or to properly train and/or supervise said personnel, or to implement meaningful procedures to discourage lawless official conduct, same is/are sued as a "person" under Title 42 USC 1983; in violation of Title 18 USC 241 and 242, which resulted in false imprisonment, mental and emotional distress to the plaintiff **GLADDEN NAQUAN** vis a vis the illegal denial of his **"STATUTORY RIGHT(S)"**, to the mandated

"PRELIMINARY HEARING" and his right to appear and be heard by the "GRAND JURY" and the conspiracy of all defendant(s) to so deprive the PLAINTIFF, and/or hide the facts hereinafter stated, to therefore keep the plaintiff incarcerated and to intimidate the same to take a plea deal of guilty under the same.

2. Through defendant(s) deliberate indifference and their conspiratorial acts and/or their failure to act as was prescribed by law as to defendants CITY, THE BAR,,the HON. CYRUS VANCE, DISTRICT ATTORNEYS OFFICE OF NEW YORK COUNTY and HON. JUDGE FARBER HON. JUDGE JOHN DOE, ASSISTANT DISTRICT ATTORNEY MEGAN McDERMOTT, LEGAL AID ATTORNEY, ANTON ROBINSON, who failed to take reasonable and prudent steps as was required to safeguard the PLAINTIFFS' rights and not to enter into any conspiracy that would so deny the plaintiff any guaranteed "STATUTORY" and/or "CONSTITUTIONAL" RIGHT(s).

JURISDICTION

3. This action arises under Section(s) 1981, 1983, 1985, 1986, and 1988 of Title 42 of the United States Code, and the First, Fourth, Sixth, Eighth and Fourteenth Amendment of the Constitution of the United States, and under the Constitution of the State of New York and the case law arising thereunder in similar 1983 matter and the like

PARTIES

4. At all times relevant to the allegations of this complaint, plaintiff GLADDEN, is an individual currently residing in the Manhattan detention Complex 125 White Street, New York, New York 10013, which is in the Southern District of New York. That at

all times hereinafter mentioned, the defendants CITY NYPD, THE BAR, HON GYRUS VANCE I, D.A OF NEW YORK COUNTY and the NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE and was is/are and still is/are a domestic and public benefit corporations, organized and existing under and by virtue of the laws of the State of New York.

5. At all times hereinafter mentioned the Defendant THE CITY OF NEW YORK, (hereinafter referred to as "CITY" or defendant), is on information and belief is a municipal corporation duly organized and/or chartered by the State of New York and has designated the Corporation Counsel of the City of New York to accept service at 100 Church Street, New York N Y. 10007.

6. That NYPD is on information and belief owned, operated and/or subject to directives of the defendant CITY as are their supervisors, employees, police officers, etc.

7. At all times relevant, defendants NYPD is/are a municipal corporation(s) duly form pursuant to the laws of the City and State of New York, and/or an agency, subdivision, department, of the defendant CITY OF NEW YORK duly formed pursuant to law and/or is a domestic and public benefit corporation organized or existing under and or by virtue of the laws of the State of New York and was the employer and supervisor of defendant NYPD and/or supervisory staff and/or detectives and/or police officers and staff. As such, it (NYPD,CITY) was/were responsible for training, supervision and conduct by defendant'. CITY/Defendant was also responsible, under law, for enforcing the regulations of the NYPD and/or for ensuring that CITY OF NEW YORK NYPD and/or supervisory staff, and personnel, as well as police officers in the employ of the

NYPD obey the laws of the City and State of New York and of the United States and prosecute and enforce said laws. As such defendants NYPD and CITY was/were responsible for training, supervision and conduct by said named defendants police officer JOHN AND JANE DOE as well as all police agents who may have been involved. Defendant CITY was responsible, under law, for enforcing the regulation of the NYPD and for ensuring that the CITY OF NEW YORK, NYPD, and/or their respective supervisory staff, and personnel, as well as police officers in the employ of the NYPD obey the laws of the State of New York and of the United States and carry out, prosecute and enforce said laws.

8. At all times relevant, defendant JANE AND JOHN DOE POLICE OFFICERS as well as all its agents involved are employees of the NYPD/CITY and on information and belief were in the employ of the NYPD and working and/or at the time of the said egregious illegal entry into his dwelling, illegal detention and/or arrest and conspiracy against the plaintiff GLADDEN the use of excessive force and the illegal search and seizure of the plaintiffs' premises and the wanton destruction of the plaintiffs personal property and the invasion of his privacy and the subsequent acts of malicious prosecution of plaintiff in the wake of their case on false allegation against plaintiff which are the crux of the conspiracy to so deny him his civil rights. The names and address of the said other defendants e.g. POLICE OFFICERS JANE AND JOHN DOE and any other officers involved as to name and address are unknown to plaintiff. Said police officers are responsible, under law, for enforcing and arising by the regulations of the NYPD and the laws

of the CITY and the State of New York and of the United States and for ensuring that their co-workers, other NYPD personnel, City of New York personnel, and the like obey the laws of the City and State of New York and of the United States. At all times relevant hereto and in all their actions described herein, said defendant police officers, NYPD personnel, etc. were acting under the color of law and pursuant to their authority as NYPD personnel/officers.

9. HON. CYRUS VANCE (hereinafter referred to as VANCE, and/or defendant) is the duly elected DISTRICT ATTORNEY OF NEW YORK COUNTY who maintains and responsible for the offices of the DISTRICT ATTORNEY OF NEW YORK COUNTY at 1 Hogan Place, New York, N.Y. County of New York, City and State of New York and is charged with the responsibilities of prosecuting all New York State Law criminal matters in the County of New York, State of New York including but, not limited to prosecutions, presentments and proceedings before the COUNTY Grand Jury, criminal proceedings in the Criminal Court and Supreme Court Criminal matters in NEW YORK COUNTY. In addition thereto VANCE is charged with the responsibility of the Assistant District Attorneys of New York County and all staff members including investigators, the coordination of criminal prosecutions e.g. presentments to the Grand Jury with the NYPD and/or other law enforcement agencies and the like and in protecting the rights of citizens of the County of New York and of the City and State of New York and the United States. The DISTRICT ATTORNEY'S OFFICE OF New York COUNTY located at 1 Hogan Place, New York, New York is a law enforcement entity duly constituted by the State of New York to prosecute/litigate criminal matters in New York County

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in the Criminal Court and Supreme Court to conduct Grand Jury proceedings and the like. HON.CYRUS VANCE and the DISTRICT ATTORNEY'S OFFICE OF NEW YORK COUNTY are located in the SDNY.

10. At all times relevant, defendants THE AMERICAN BAR ASSOCIATION, HON. FARBER HON JUDGE JOHN DOE ADA MEGAN MCDERMOTT AND LEGAL AID ATTORNEY ANTON ROBINSON are employees of the CITY of New York and on information and belief were in the employ of the City and/or State of New York and those who are named in this complaint as individual defendants and whose addresses are unknown other than c/o NYPD or BAR other NYPD police officers, detectives, supervisors and/or personnel at the precinct in question, including but not limited to supervisors, the officers and/or staff, whose identities are presently unknown to plaintiff and/or are on information and belief were NYPD personnel, staff, detectives, sergeant, lieutenant and/or criminal court Judges, Prosecuting Attorneys,, legal Aid Attorneys, criminal court clerks and/or criminal court personnel employed by the CITY, to perform duties for the CITY OF NEW YORK and elsewhere. At all times relevant, defendants above-named were acting in the capacity of agents, servants and employees of defendant CITY OF NEW YORK and are sued individually and in their official capacity.

FACTUAL ALLEGATIONS

11. A general synopsis of the 6/3/2016 incident which is the initial incident addressed in the instant summons and complaint are set forth with specificity in the Plaintiffs' Notice of Intention to File Claim that was duly served on

12. On or about 6/3/2016 approximately two (2) uniformed NYPD

13. approached the plaintiff as he was walking back to his medical appointment at the metropolitan hospital to see a doctor about a serious medical condition. The plaintiff just finished speaking to his wife who had called him from the hospital requesting that he take his daughter so that she could go to work. The plaintiff informed her that she was causing him to violate the order of protection that was issued a disagreement issued and the plaintiff walked away from his wife and was then accosted by the officers who requested his identification, which he provided to them without incident. After the officers ran a check on the plaintiffs he was then placed in handcuffs and taken to the precinct and charged with violating an order of protection.

14. The plaintiff was arraigned on felony charge of criminal contempt in the first degree. At the arraignment despite the plaintiffs expressed desire to testify before the "GRAND JURY" his court appointed "LEGAL AID ATTORNEY" defendant ROBINSON waived his right. Whereafter, the plaintiff was indicted on the charge of Criminal contempt in the first degree.

15. At the subsequent arraignment on the illegal indictment on or about the 23 day of August 2016, the plaintiff expressed his disagreement with his appointed counsel for waiving his appearance before the "GRAND JURY" and was thereafter informed that the attorney could waive the plaintiffs' right to appearance before the "Grand Jury" and that, "that ship had sailed, there was no going back to the Grand Jury".

16. However, plaintiff learned that the Statute clearly states

to the mandatory "Preliminary Hearing", which resulted in the plaintiff having to stay locked away in jail and/or prison for longer periods of time. This practice which the plaintiff now complains against the above stated defendants has been a on going policy created some time after the legislators enacted the statutory mandate to a preliminary hearing based upon a United States Court ruling. This practice has denied him equal protection of law.

17. The plaintiff has suffered from the action of the defendant namely MCDERMOTT, who despite having clear knowledge of her obligation to conduct a preliminary hearing on behalf of the People of the State of New York City failed to do so and she was informed of her error by way of a motion to dismiss the present indictment for said denial of the plaintiffs statutory rights the defendant failed to respond to the motion as is required by law thereby conceding to each and every argument that was made by the plaintiff, at which time the plaintiffs motion should have been granted.

18. The plaintiff continued to suffer from the actions of the defendants namely the Hon. FARBER who arbitrarily denied the plaintiffs motion while stating on the record that the plaintiff had a right to demand a "preliminary hearing", nevertheless he still denied the plaintiffs motion despite the fact that the DA defendant MCDERMOTT did not see fit to even respond in opposition to it.

19. The plaintiff was made to further suffer from the actions of the defendant Judge who continued the conspiracy in his failing to correct the error of the "preliminary hearing", viola-

that the accused if not satisfied with the procedures of the Grand Jury or a denial of the same could file a notice to appear before the Grand Jury within five days of the arraignment on the indictment. Defendants JUDGE FARBER, ADA MCDERMOTT AND LEGAL AID ATTORNEY ROBINSON, were all aware of the statute and its provisions and therefore knew or should have known that the plaintiff rights were being violated.

20. Thereafter plaintiff being disgruntled about the illegal waiver of his right to the Grand Jury began to further research the laws of New York State and discovered that he had also been denied his right to the "PRELIMINARY HEARING" a hearing which according to the United States Supreme Court ruled was a "critical stage of the proceedings" and could not be waived by no other than the plaintiff.

21. During this discovery the plaintiff learned that not only was he entitled to a "Preliminary Hearing" but that the Court namely Defendant JUDGE JOHN DOE had an obligation to inform the plaintiff of the charges against him and that he had a right to a preliminary hearing, the statute further states that defendant had a continued obligation to do everything in her power to effectuate the plaintiffs rights to the preliminary hearing, she failed. leaving the plaintiff to fight without the benefit of the Constitutional provisions set in place to safeguard the plaintiffs rights thereto.

22. The plaintiff further argues that from his very first encounter with the criminal justice system its employees have consistently and insidiously denied the plaintiff his statutory right

tion where it was clearly presented with the evident facts so as any prudent seeker of justice would have so been aware of those facts and the supporting "STATUTES".

23. The plaintiff GLADDEN, was further made to suffer in that his appointed counsel failed to safeguard his rights as was her job, in that she knowingly allowed without opposition the DA and Court to systematically deny the plaintiff his statutory right to the "preliminary Hearing" a right so fundamental that a laymen such as the plaintiff could uncover it but, so critical that the United States Supreme Court "RULED" that all states "MUST" have a "PROBABLE CAUSE" hearing. The STATE OF NEW YORK chose Criminal Procedure Law §§§ 180.10, 180.60 and 180.70 but, have created a policy in which they systematically use the "GRAND JURY" to somehow circumvent their obligation under the "STATUTES".

24. The plaintiff was made to further suffer by the inaction of defendant CYRUS VANCE, was not diligently aware of or allowed a policy to be born and or carried on without any correction until this date as well as the CITY OF NEW YORK., the AMERICAN BAR ASSOCIATION and THE NEW YORK CITY DISTRICT ATTORNEYS OFFICE who likewise failed to correct this unconstitutional practice and or policy that has been being used to deprive "AFRICAN AMERICAN" citizens their "CONSTITUTIONAL" right to due process, equal protection of the law and the effective assistance of counsel, which the plaintiff was certainly denied by way of this policy to not hold or inform the plaintiff of the right to a "Preliminary Hearing".

25. Plaintiffs causes of action for illegal detention based upon the defendants denial of his "STATUTORY" right to the "PRELIMINARY HEARING" has been a continuous practice and/or policy that has been invoked upon him since his very inception into the criminal justice system dating back to _____, at no time until the present date has the plaintiff been afforded a preliminary hearing. Said deprivation is clearly based upon the fact that the plaintiff is a citizen of African American decent.

26. Upon information and belief the abuse to which the plaintiff was subjected was/is consistent with institutionalized practices of the CITY OF NEW YORK, the NYPD, NYS BAR ASSOCIATION, and of HON. FARBER and the DISTRICT ATTORNEYS OFFICE OF NEW YORK COUNTY, which was known to and ratified by defendant CITY OF NEW YORK, said defendants having at no time taken any effective action to prevent the above stated defendants and/or its personnel and/or the DISTRICT ATTORNEYS OFFICE OF NY COUNTY from continuing to engage in such misconduct.

27. Upon information and belief, defendants CITY OF NEW YORK and/or the DISTRICT ATTORNEYS OFFICE and/or LEGAL AID SOCIETY as well as the NYPD authorized, tolerated as institutionalized practices, and failed to ratify the misconduct herein before detailed by failing to properly train, discipline, restrict and or control its employees, staff, supervisors, and/or supervise staff of the DA's office, by failing to forward to the office of the DISTRICT ATTORNEY OF THE COUNTY OF NEW YORK evidence of illegal acts committed by the defendants and by further failing to correct said misconduct, and/or negligent failure to act to secure the safety

of a citizen and to prevent further violence to that citizen but instead responded to such valid complaints of the plaintiff supported by others and official denials calculated to mislead the public and actions taken to denigrate and punish the innocent citizen who fastidiously took every step humanly possible to try to gain the attention of those responsible for the plaintiffs illegal detention. This conduct also constitutes negligence and/or gross negligence under state law and is applicable to the detention and loss of liberty claims of plaintiff and his invasion of privacy claims.

28. HON. CYRUS VANCE and/or DISTRICT ATTORNEY'S OFFICE OF NEW YORK COUNTY negligently failed to properly supervise and monitor and negligently conducted the prosecution of the defendant (herein the plaintiff GLADDEN that his said offices by withholding information and/or evidence as well as upholding the unlawful denial of the plaintiffs statutory right to the preliminary hearing and his counsel and/or its failure to adequately investigate claims made by a criminal defendant and their counsel, herein specifically the plaintiff _____ and failing to establish and/or assure the functioning of a meaningful department system for dealing with complaints against the DISTRICT ATTORNEY'S OFFICE, NYPD, the BAR and/or LEGAL AID SOCIETY.

29. That these claims are verified by the twentyfive year interaction of the plaintiff with THE NEW YORK COUNTY and/or CITY criminal justice department starting with a _____ conviction and carrying on through the years of _____ and finally wherein at no time was the plaintiff informed by any criminal or

30. Plaintiff GLADDENS, causes of action for illegal detention based upon the defendants denial of his "STATUTORY" to the "PRE-LIMINARY HEARING" has been a continuous practice and/or policy that has been invoked him since his inception into the criminal justice system. Said deprivation is clearly based upon the fact that the plaintiff is a citizen of African American decent.

31. Upon information and belief the abuse that the plaintiff was subjected to was/is consistant with institutional practices of the CITY OF NEW YORK, the NYPD, NYS BAR ASSOCIATION, and of HON. CYRUS VANCE and the DISTRICT ATTORNEYS OFFICE OF NEW YORK COUNTY, which was known to and ratified by defendant CITY OF NEW YORK, said defendants having at no time taken any effective actions to prevent the above stated defendants and/or its personnel and/or the DISTRICT ATTORNEYS OFFICE OF NY COUNTY from continuing to engage in such misconduct.

32. Upon information and belief, defendants CITY OF NEW YORK and/or the DISTRICT ATTORNEYS OFFICE and/or LEGAL AID SOCIETY as well as the NYPD authorized, tolerated as institutionalized practices and failed to ratify the misconduct herein before detailed by failing to properly train, discipline, restrict and/or control its employees, staff, supervisors, and/or supervise staff of the DA's office, by failing to forward to the office of the DISTRICT ATTORNEY OF NEW YORK COUNTY evidence of illegal acts committed by the defendants and by further failing to correct said misconduct, and/or negligent failure to act to secure the safety a citizen and to prevent further violence to that citizen but, instead responded to such valid complaints of the plaintiff supported by others and official

denials calculated to mislead the public and actions taken to denigrate and punish the innocent citizen who fastidiously took every-step humanly possible to try to gain the attention of those responsible for the plaintiffs illegal detention. This conduct also constitutes negligence and/or gross negligence under state law and is applicable to the detention and loss of liberty claims of plaintiff and the illegal seizure of his person.

33. HON. CYRUS VANCE and/or DISTRICT ATTORNEY'S OFFICE OF NEW YORK COUNTY negligently failed to properly supervise and/or monitor and negligently conducted the prosecution of the plaintiff GLADDEN, and that his said office by withholding information and/or evidence as well as upholding the unlawful denial of the plaintiffs statutory rights to the preliminary hearing and his counsel and/or its failure to adequately investigate claims made by a criminal defendant and their counsel, herein, specifically the plaintiff GLADDEN and failing to establish and/or assure the functioning of a meaningful department system for dealing with complaints against the DISTRICT ATTORNEYS OFFICE, NYPD, the BAR and/or LEGAL AID SOCIETY.

34. That these claims are verified by the fact that at no time was the plaintiff informed by any criminal or supreme court judge of his statutory right to the preliminary hearing as was required by law, which a prudent and non-conspiring judge, DA, and/or attorney would so have informed the plaintiff. A hearing ruled upon by the United States Supreme Court and thereafter the New York State legislature enacted the Criminal Procedure Law Statute of a mandatory "PRELIMINARY HEARING" which all of the defendants herein above stated have conspired to willfully deny the plaintiff causing mental and

emotional distress and injury again as well as the injuries sustained by the plaintiff while in the custody of the Department of Corrections and defendants were put on notice by notice of intention of claim on or about 10/5/16.

the New York State legislature enacted the Criminal Procedure Law Statute of a mandatory "PRELIMINARY HEARING" which all of the defendants herein above stated have conspired to willfully deny the plaintiff causing mental and emotional distress and injury again as well as the injuries sustained by the plaintiff while in the custody of the Department of Corrections and defendants were put on notice by notice of claim in

FEDERAL CAUSES OF ACTION

35. Each and every allegation set forth in Paragraphs "1" through "34" is incorporated herein by reference.

36. The above described actions and omissions engaged in under color of state authority by defendants, including defendants CITY, NYPD, BAR, HON. CYRUS VANCE, DISTRICT ATTORNEY'S OFFICE COUNTY, etc. responsible because of its authorization, condonation and ratification thereof for the acts of its agents, deprived plaintiff of rights secured to him by the Constitution of the United States, including, but not limited to his Fourth Amendment rights to be free from illegal search and seizure without a warrant and for false arrest and imprisonment to be free from unjustified and excessive force utilized by the police, and his Eighth Amendment right to be free from cruel and unusual punishment and Fourteenth Amendment right to due process and equal protection under the laws, and his 6th Amendment right to a fair trial

ATTORNEYS' FEES AND JURY TRIAL

37. Plaintiff is entitled to an award of attorneys' fees, pursuant to 42 U.S.C 1988(b); 42 U.S.C. 1983. Plaintiff requests a trial by jury.

WHEREFORE, plaintiff demands the following relief, because plaintiff believes that the defendants are not exempt from suit because their actions herein above depicted do not fall within the scope of their official duties but falls squarely outside of it and seeks to deprive a citizen of rights guaranteed by the United States Constitution; whereas the acts believed to have been done deliberately so as not to be protected by their official offices, they are sued in the individual and official capacities, jointly and severally, against each defendant Twenty million (\$20,000,000.00) dollars against each defendant in negligence, for false arrest, false imprisonment, fraud, intentional infliction of mental distress, by denying a statutory right and thereby a Constitutional right against a citizen of the United states in violation of Title 18 USC §§ 241/242, Primal facie tort, Abuse of Process/Procedures, Filing a false complaint, malicious prosecution in favor of plaintiff against each individual defendant; Punitive Damages for racial discrimination and racial profiling Twentyfive million (\$25,000,000.00) against each defendant, Compensatory Damages Twenty million (\$20,000,000.00) against each defendant; plaintiff demands judgment of Two hundred eightyfive million (\$285,000,000.00) For the collective conspiracy to deprive the plaintiff of Statutory right and thereby a constitutional right.

1. Negligence
2. False Arrest
3. False Imprisonment
4. Fraud
5. Intentional Infliction of mental distress
6. Violating Title 18 USC §§ 241 and 242
7. Primal Facie tort.
8. Abuse of Process/Procedure

9. Filing a false complaint and/or attempt and/or conspiracy to file a false complaint.
10. Conspiracy to deprive a citizen of a Statutory right and thereby a constitutional right.
11. Malicious Prosecution
12. Racial discrimination/profiling.

WHEREFORE, the plaintiff further demands that the hearing court administer an injunction compelling the defendants to resume conducting "PRELIMINARY HEARINGS" until such time as the legislature repeals said statute. WHEREAS, all defendants actions in so conspiring and/or failing to correct said conspiratorial acts which fall squarely outside the scope of their official duties thereby lifting their immunity protection and therefore the only right sense of justice would be such a sanction.

TOTAL AMOUNT CLAIMED: \$1,000,000,000.00.

- A. Plaintiff demands Tort Claims, Twenty million (\$20,000,000.00) dollars against each defendant or Twenty million (\$20,000,000.00) dollars.
- B. Compensatory Damages in the amount of Twenty million (\$20,000,000.00) dollars against each defendant;
- C. Punitive Damages in the amount of Twenty Five million (\$25,000,000.00) against each defendant;
- D. For the collective 30 year conspiracy to deprive a citizen (the plaintiff) of a Statutory right and thereby a Constitutional right, Two hundred and eighty five million (\$285,000,000.00) dollars.
- E. Plaintiff further demands an injunction

which will require all New York City Courts and its appointed officials to afford each and every criminal defendant who they attempt to prosecute a "PRELIMINARY HEARING".

F. Attorney's fees pursuant to 42 U.S.C 1988(b); 42 U.S.C 1983; and

G. for such other and further relief as to the Court deems just and true.

Respectfull Submitted

Ugoon Ghosh

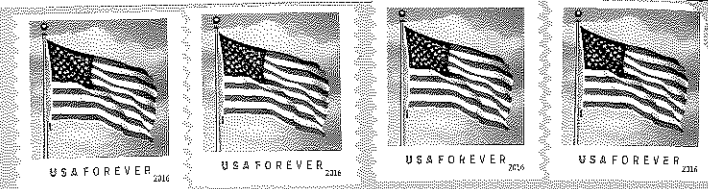
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SWORN TO BEFORE ME THIS

____ DAY OF _____ 2016

NOTARY PUBLIC

125 White St
N.Y.N.Y. 10013



Pro Se
11/9/16 GP

United States District Court
Southern District of New York

500 Pearl Street
New York, N.Y. 10007

